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PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC

UNITED STATES DISTRICT COURT

for the

District of

Western Division

Case No.

5:17-cv-00212-D

(to be filled in by the Clerk's Office)

Drug Free Gang Free, Inc.

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Homeboy Industries, Inc.

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☒ Yes ☐ No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Drug Free Gang Free, Inc.
Street Address	PO BOX 3202
City and County	Cary, Wake County
State and Zip Code	NC 27519
Telephone Number	919 268 9211
E-mail Address	info@drugfreegangfree.org

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	Homeboy Industries, Inc.
Job or Title <i>(if known)</i>	
Street Address	130 West Bruno Street
City and County	Los Angeles, Los Angeles County
State and Zip Code	CA 90012
Telephone Number	323 526 1254
E-mail Address <i>(if known)</i>	

Defendant No. 2

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

17 U.S. Code Chapter 5 501 Copyright Infringement

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, *(name)* _____, is a citizen of the State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* Drug Free Gang Free, Inc., is incorporated under the laws of the State of *(name)* North Carolina, and has its principal place of business in the State of *(name)* North Carolina.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, *(name)* _____, is a citizen of the State of *(name)* _____. Or is a citizen of *(foreign nation)* _____.

b. If the defendant is a corporation

The defendant, (name) Homeboy Industries, Inc., is incorporated under the laws of the State of (name) California, and has its principal place of business in the State of (name) California.
Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

\$50000

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

The copyright registration TX 8-307-236 was violated in accordance with 17 U.S. Code Chapter 5 501 by Homeboy Industries, with their webpage Global Homeboy Network starting in 2014, 2015, 2016 and 2017. Our webpage and business was based out of Wake County NC, and Homeboy Industries Inc would have stolen the content from where Drug Free Gang Free, Inc. was located. We have a theft police report from 2014 on this issue.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Drug Free Gang Free, Inc has suffered extreme financial loss as a result of the Homeboy Industries, Inc. copyright infringement. Drug Free Gang Free, Inc. could go out of business, or face bankruptcy as a result. Drug Free Gang Free, Inc. as of 4/2017 has lost over 90 of our local locations, that are valued at \$5000 each location. That is \$450000 in losses. We are suing for \$50000 for the cost of the legal fee's for the copyright infringement loss, the professional staff to cover the loss from the infringement, and cost of going out of business as a result of the copyright infringement.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 04/17/2017

Signature of Plaintiff

Printed Name of Plaintiff

Beth Ford on behalf of Drug Free Gang Free, Inc.

B. For Attorneys

Date of signing: 04/19/2017

Signature of Attorney

Printed Name of Attorney

Justin Eldreth

Bar Number

Name of Law Firm

Klish and Eldreth

Street Address

2500 Regency Parkway #A2

State and Zip Code

Cary NC 27518

Telephone Number

9194151609

E-mail Address

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MAY 01 2017 H/1

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

Western DIVISION

Drug Free Gang Free, Inc.

v.

Homeboy Industries, Inc.

NO. 5:17-cv-00212-D

COMPLAINT

Plaintiff resides at:

Drug Free Gang Free, Inc.

PO Box 3202

Cary NC 27519

Defendant(s)' name(s) and address(es), if known:

Homeboy Industries Inc.

130 W Bruno St

Los Angeles CA 90012

Jurisdiction in this court is based on:

Federal Question

The acts complained of in this suit concern:

Copyright infringement

17 US Code Chapter 5 § 501

Homeday Industries has stolen our Copyright
Registered work 2014, 2015, 2016 and 2017

Our webpage and business is based out
of Wake County NC and Homeday Industries Inc
stole the copy right work from where

Drug Free Cary Pk, Inc. is located

We have a police report for the theft
on this issue

(If you need more space, or wish to include any further information for consideration, please attach additional sheets.)

I seek the following relief:

\$50000 for cost of infringement, going out of business as a result of copyright infringement, and professional staff to cover loss. We lost 100 locations as a result valued at \$5000 each for \$500000 loss from copyright infringement from Hareday Industries Inc.

4-17-17

DATE

[Signature]

SIGNATURE OF PLAINTIFF

PO Box 3202
Cary NC 27519
(919) 268-9211

ADDRESS AND PHONE NUMBER OF PLAINTIFF